



February 21, 2006

ENGROSSED SENATE BILL No. 235

DIGEST OF SB 235 (Updated February 20, 2006 5:00 pm - DI 96)

Citations Affected: IC 9-18.

Synopsis: Special group recognition license plates. Authorizes a special group recognition license plate to be displayed on a motorcycle. Provides that: (1) special groups that participate in the program may request that the bureau of motor vehicles (BMV) collect a \$25 annual fee on behalf of the group; (2) the fee then is deposited by the BMV in a trust fund for the special group established by the treasurer; and (3) on June 30 of each year, the commissioner of the BMV distributes the money from the fund to the special group. Prohibits the BMV from disclosing information that identifies certain persons to whom special group license plates have been issued. Sets the procedure for collection of the annual fee by the BMV. Appropriates the money in the trust funds for the purposes of the trust funds. Makes a technical correction.

Effective: Upon passage; July 1, 2006.

Gard, Wyss, Craycraft
(HOUSE SPONSOR — DUNCAN)

January 9, 2006, read first time and referred to Committee on Commerce and Transportation.

January 26, 2006, amended, reported favorably — Do Pass.

January 30, 2006, read second time, ordered engrossed. Engrossed.

February 1, 2006, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

February 7, 2006, read first time and referred to Committee on Roads and Transportation.

February 21, 2006, reported — Do Pass.

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ES 235— LS 6772/DI 96



February 21, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 235

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-18-25-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. A special group
3 recognition license plate issued under this chapter may be displayed on
4 the following:

- 5 (1) A passenger motor vehicle.
- 6 (2) A truck registered as a truck with a declared gross weight of
7 not more than eleven thousand (11,000) pounds.
- 8 (3) A recreational vehicle.
- 9 **(4) A motorcycle.**

10 SECTION 2. IC 9-18-25-17.5 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 17.5. (a) This section
12 applies to a special group if at least five thousand (5,000) of the special
13 group's license plates are issued under this chapter during one (1)
14 calendar year beginning after December 31, 2004.

15 (b) Notwithstanding section ~~3~~ **2** of this chapter, the representatives
16 of the special group may petition the bureau to design a distinctive
17 license plate that identifies a vehicle as being registered to a person

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1 who is a member of the special group.

2 (c) The design of the special group license plate must include a
3 basic design for the special group recognition license plate with
4 consecutive numerals or letters, or both, to properly identify the
5 vehicle.

6 (d) A special group license plate must be treated with special
7 reflective material designed to increase the visibility and legibility of
8 the special group license plate.

9 (e) Beginning with the calendar year following the year in which the
10 representatives petition the bureau under subsection (b), the bureau
11 shall issue the special group's license plate to a person who is eligible
12 to register a vehicle under this title who:

13 (1) completes an application for the license plate; and

14 (2) pays the following fees:

15 (A) The appropriate fee under IC 9-29-5-38(a).

16 (B) An annual fee of twenty-five dollars (\$25).

17 (f) The annual fee referred to in subsection (e)(2)(B) shall be
18 collected by the bureau and deposited in a trust fund for the special
19 group established under subsection (g). However, the bureau shall
20 retain two dollars (\$2) for each license plate issued until the cost of
21 designing and issuing the special group license plate is recovered by
22 the bureau.

23 (g) The treasurer of state shall establish a trust fund for each special
24 group for which the bureau collects fees under this section.

25 (h) The treasurer of state shall invest the money in the fund not
26 currently needed to meet the obligations of the fund in the same
27 manner as other public funds are invested. Interest that accrues from
28 these investments shall be deposited in the fund. Money in the fund is
29 continuously appropriated for the purposes of this section. Money in
30 the fund at the end of a state fiscal year does not revert to the state
31 general fund.

32 (i) The commissioner shall administer the fund. Expenses of
33 administering the fund shall be paid from money in the fund.

34 (j) On June 30 of each year, the commissioner shall distribute the
35 money from the fund to the special group for which the bureau has
36 collected fees under this section.

37 (k) The bureau may not disclose information that identifies the
38 persons to whom special group license plates have been issued under
39 this section. ~~to the special group.~~

40 SECTION 3. IC 9-18-25-17.7 IS ADDED TO THE INDIANA
41 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2006]: **Sec. 17.7. (a) Notwithstanding any**

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other law, representatives of a special group that participates in the special group recognition plate program may request that the bureau collect an annual fee of twenty-five dollars (\$25) on behalf of the special group.

(b) If a request is made under subsection (a), the bureau shall collect the following fees:

(1) The appropriate fee under IC 9-29-5-38(a).

(2) An annual fee of twenty-five dollars (\$25).

(c) The annual fee referred to in subsection (b)(2) shall be collected by the bureau and deposited in a trust fund for the special group established under subsection (d).

(d) The treasurer of state shall establish a trust fund for each special group for which the bureau collects fees under this section.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund is continuously appropriated for the purposes of this section. Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) The commissioner shall administer the fund. Expenses of administering the fund shall be paid from money in the fund.

(g) Before June 30 of each year, the commissioner shall distribute the money from the fund to the special group for which the bureau has collected fees under this section.

(h) The bureau may not disclose information that identifies the persons to whom special group license plates have been issued under this section.

(i) If:

(1) representatives of a special group have collected an annual fee as set forth in subsection (a) from purchasers of the special group recognition license plates that was paid directly to the special group; and

(2) the representatives of the special group request the bureau to collect the annual fee on behalf of the special group as set forth in subsection (a);

representatives of the special group may request the bureau to change the method of collection of the annual fee for the following calendar year. The representatives of the special group must make a request under this subsection by July 1 of the year preceding the year for which the change has been requested. The group may request only one (1) change in the method of collection in a plate

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1 cycle.
2 (j) If:
3 (1) the bureau collects an annual fee as set forth in subsection
4 (a) on behalf of a special group; and
5 (2) representatives of the special group request the bureau to
6 cease collection of the annual fee as set forth in subsection (a)
7 on behalf of the special group as the annual fee will be paid
8 directly to the special group by purchasers of the special
9 group recognition license plates;
10 representatives of the special group may request the bureau to
11 change the method of collection of the annual fee for the following
12 calendar year. The representatives of the special group must make
13 a request under this subsection by July 1 of the year preceding the
14 year for which the change has been requested. The group may
15 request only one (1) change in the method of collection in a plate
16 cycle.

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SENATE MOTION

Madam President: I move that Senator Wyss be added as second author of Senate Bill 235.

GARD

SENATE MOTION

Madam President: I move that Senator Craycraft be added as coauthor of Senate Bill 235.

GARD

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Transportation, to which was referred Senate Bill No. 235, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 5.

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 18.

Page 4, line 23, delete "plate cycle under IC 9-18-2-47(a)." and insert "**calendar year.**".

Page 4, line 24, delete "may" and insert "**must**".

Page 4, line 24, delete "only one (1)" and insert "**a**".

Page 4, line 25, delete "per plate cycle under IC 9-18-2-47(a)." and insert "**by July 1 of the year preceding the year for which the change has been requested. The group may request only one (1) change in the method of collection in a plate cycle.**".

Page 4, line 36, delete "plate cycle under IC 9-18-2-47(a)." and insert "**calendar year.**".

Page 4, line 37, delete "may" and insert "**must**".

Page 4, line 37, delete "only one (1)" and insert "**a**".

Page 4, line 38, delete "per plate cycle under IC 9-18-2-47(a)." and insert "**by July 1 of the year preceding the year for which the change has been requested. The group may request only one (1) change in the method of collection in a plate cycle.**".

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Page 4, delete lines 39 through 40.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 235 as introduced.)

LANDSKE, Chairperson

Committee Vote: Yeas 7, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 235, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

DAVIS, Vice Chair

Committee Vote: yeas 10, nays 0.

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